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UNITED AIRLINES, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROGER SOTO,

Plaintiff,

v.

UNITED AIRLINES, INC.,

Defendant.

Case No. 2:23-cv-02148-DJC-JDP

**DECLARATION OF KIRK LIMACHER
IN SUPPORT OF DEFENDANT UNITED
AIRLINES MOTION TO DISMISS, OR
IN THE ALTERNATIVE, TRANSFER
VENUE**

1 I, Kirk Limacher, do hereby declare and state as follows:

2 1. I am employed by United Airlines, Inc. (“United”) as its Vice President of Flight
3 Operations Planning and Development in Chicago, Illinois.

4 2. I submit this Declaration in support of United’s Motion to Dismiss or, in the
5 Alternative, Transfer Venue. The facts set forth in this Declaration are based upon my personal
6 knowledge, my review of relevant documents, information provided by individuals working with me
7 or under my supervision, or my opinion based on my experience, knowledge, and information
8 regarding matters related to United and its policies. If called to testify, I could and would competently
9 testify to the facts set forth in this Declaration.

10 3. United is an international airline carrier incorporated in Delaware with its principal
11 place of business in Chicago, Illinois.

12 4. Chicago, Illinois is both the situs of United’s corporate headquarters and the location
13 from which United’s senior leadership team runs the Company’s worldwide operations.

14 5. United’s COVID-19 policies and procedures, as well as its Reasonable
15 Accommodation Policy (“RAP”), were developed and implemented in Illinois. The COVID-19
16 Vaccination policy was announced on August 6, 2021. United made all decisions relevant to the
17 allegations made by Roger Soto in Illinois. The relevant documentation for such decisions is
18 maintained in Illinois, as well.

19 6. United’s Employee Service Center is located in Chicago, Illinois. The Employee
20 Service Center is the location from which accommodations are processed, leaves are administered,
21 and other relevant policies are implemented and administered.

22 7. I am familiar with Roger Soto’s employment with United, which began on or about
23 August 19, 1996. He is a current flight attendant who, at all times relevant to this action, was employed
24 in San Francisco, California and worked out of San Francisco International Airport.

25 8. Mr. Soto has lives in Valley Springs, California and has for the duration of his
26 employment, been based at San Francisco International Airport.

9. The witnesses who made decisions regarding Mr. Soto's employment are located in Illinois. The individuals who engaged with Mr. Soto regarding his Requests for Accommodation include Jennifer Kemp, Carlos Rivera Torres, and Adrienne Kelley. If required to appear in the Eastern District of California, Fresno Division, these witnesses would need to travel over 2,000 miles.

10. On or around August 10, 2021, Plaintiff requested a religious exemption from United's COVID-19 vaccination policy. Based on his request, Plaintiff was given the option of taking unpaid leave, which he elected to do. Plaintiff was on unpaid leave on November 16, 2021. On March 28, 2023, Plaintiff returned to work full time for United.

11. At all times, United Airlines, Inc. did not require Plaintiff to receive the vaccine to keep his employment. Like others, United Airlines, Inc. provided Plaintiff with the choice of receiving the vaccine and/or taking an unpaid leave of absence.

12. United maintains hubs in the following locations: Chicago, IL—O’Hare International Airport (ORD); Denver, CO—Denver International Airport (DEN); Guam—Antonio B. Won Pat International Airport (GUM); Houston, TX—Houston/George Bush Intercontinental Airport (IAH); Los Angeles, CA—Los Angeles International Airport (LAX); New York, NY/Newark, NJ—Newark Liberty International Airport (EWR); San Francisco, CA—San Francisco International Airport (SFO); Washington, D.C.—Washington Dulles International Airport (IAD).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on the 8th day of January 2024.

Kirk Limacher

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